

Historic, Archive Document

Do not assume content reflects current scientific
knowledge, policies, or practices



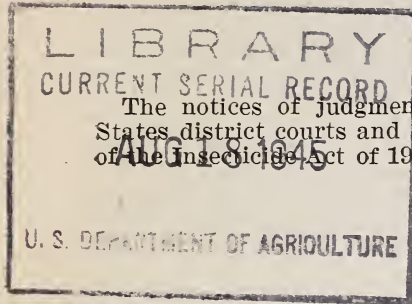
United States Department of Agriculture

WAR FOOD ADMINISTRATION

OFFICE OF MARKETING SERVICES

NOTICES OF JUDGMENT UNDER THE INSECTICIDE ACT

1911-1925



The notices of judgment herewith relate to cases instituted in the United States district courts and are approved for publication, as provided in section 4 of the Insecticide Act of 1910 (36 Stat. 331).

Ashley Sellers

ASHLEY SELLERS

Assistant War Food Administrator.

WASHINGTON, D. C., January 31, 1945.

1911. Adulteration and misbranding of "Granger '77' Chloro-D Powder." U. S. v. 35 7-Pound Cans, More or Less, of "Granger '77' Chloro-D Powder." Default decree of condemnation and destruction. (I. & F. No. 2355. I. D. No. 7577.)

Analysis of a sample of "Granger '77' Chloro-D Powder" showed that this product consisted of calcium hypochlorite 0.70 percent, sodium phosphate 36.10 percent, and carbonate of sodium and water of crystallization 63.20 percent. The product contained less calcium hypochlorite than was stated on the labels affixed to the cans containing the product; the cans were short weight; and the product when used as directed was not effective as a disinfectant nor as a germicide.

On April 25, 1944, the United States attorney for the District of Delaware, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 35 7-pound cans, more or less, of "Granger '77' Chloro-D Powder," at Wilmington, Del., alleging that the product had been shipped in interstate commerce, on or about March 21, 1944, by the Granger '77' Products Company, from Trenton, N. J., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as shown by the following statement: "Calcium Hypochlorite 2% Cleaning Active Ingredients 98% Total 100%," whereas the product contained less than 2 percent calcium hypochlorite and the ingredients other than calcium hypochlorite were inert.

The product was alleged to be misbranded in that the statement, as quoted in the preceding paragraph, borne on the labels affixed to the cans containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser.

The product was alleged to be misbranded further in that the statements:

"Granger '77' Chloro-D Powder

A scientific chlorinated washing compound developed to meet the practical hygienic requirements of the dairy, beverage, food and general industrial

trades, as a . . . disinfectant. Chloro-D serves the dairy as an effective . . . germicide and as a disinfectant when used according to directions . . . For disinfecting other dairy equipment use two lbs. Chloro-D powder to 50 gallons cold water which represents 100 P. P. M. available chlorine.

Chloro-D powder is non-corrosive to tinned metals, when properly cleaned and rinsed with cold water . . .

After this operation disinfect the cleaned equipment in a cold water solution containing one ounce (measure cup full) of Chloro-D powder to 10 quarts water.

For hand and machine milking, dissolve one ounce (measure cup full) of Chloro-D powder to 10 quarts warm water for washing milkers hands, the cow's udders, and dipping the teat cups after milking each cow."

borne on the labels affixed to the cans containing the product, were false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the statements purported and represented that the product, when used as directed, was a disinfectant or an effective germicide for the purposes set forth on the labels, and that the product diluted with water as directed represented 100 parts per million of "available chlorine," whereas the product, when used as directed, was not a disinfectant nor an effective germicide for the purposes set forth on the labels, and the product diluted with water as directed would not give a solution containing 100 parts per million of "available chlorine."

The product was alleged to be misbranded further in that the statement, "Small Package, 7 Lbs.," borne on the labels affixed to the cans containing the product, was false and misleading and tended to deceive and mislead the purchaser, since the cans contained less than 7 pounds of the product.

On May 15, 1944, no claimant having appeared, decree of condemnation and destruction was entered, and the United States marshal was ordered to destroy the product.

1912. Adulteration and misbranding of "Del-Tox." U. S. v. 156 One-Quart Bottles, More or Less, of "Del-Tox." Default decree of condemnation and destruction. (I. & F. No. 2351. I. D. No. 7559.)

Examination of a sample of "Del-Tox" showed that this product contained less sodium hypochlorite and more inert ingredients than were stated on the label.

On February 16, 1944, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 156 one-quart bottles, more or less, of "Del-Tox," at Washington, D. C., alleging that the product had been shipped in interstate commerce, on or about April 4 and August 5, 1941, by the Del-Tox Chemical Company, from Baltimore, Md., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as shown by the following statement: "Active Ingredients — Sodium Hypochlorite 5% Inert Ingredients 95% By Volume," whereas the product contained less than 5 percent sodium hypochlorite and more than 95 percent inert ingredients.

The product was alleged to be misbranded in that the statement, as quoted in the preceding paragraph, borne on the labels affixed to the bottles containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser.

On March 22, 1944, no claimant having appeared, decree of condemnation and destruction was entered, and the United States marshal was directed to confiscate and destroy the product.

1913. Adulteration and misbranding of "Prox Cleaning Compound." U. S. v. 77 Cases, Each Containing 12 One-Quart Bottles, More or Less, of "Prox Cleaning Compound." Default decree of condemnation and destruction. (I. & F. No. 2349. I. D. No. 8860.)

Analysis of a sample of "Prox Cleaning Compound" showed that this product contained less sodium hypochlorite and more inert ingredients than were stated on the label.

On January 25, 1944, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 77 cases, each containing 12 one-quart bottles, more or less, of "Prox Cleaning Compound," at Jersey City, N. J., alleging that the product had been shipped in interstate commerce, on or about

November 29, 1943, by Proxite Products, Inc., from Brooklyn, N. Y., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as shown by the following statement: "Active Ingredient Sodium Hypochlorite 5.25% by Wt. Inert Ingredients 94.75% by Wt.," whereas the product contained less than 5.25 percent of sodium hypochlorite by weight and more than 94.75 percent of inert ingredients by weight.

The product was alleged to be misbranded in that the statement, as quoted in the preceding paragraph, borne on the labels affixed to the bottles containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser.

On March 6, 1944, no claimant having appeared, decree of condemnation and destruction was entered, and the United States marshal was directed to destroy the product.

1914. Adulteration and misbranding of "Pine Oil Disinfectant." U. S. v. Cole Laboratories, Inc. Plea of guilty to counts one and four; counts two and three dismissed. Fine \$500. (I. & F. No. 2348. I. D. Nos. 7534 and 7540.)

Analyses of two samples of "Pine Oil Disinfectant" showed that the water content of the product was 32.4 percent in one sample and 31.4 percent in the other, the remaining ingredients being pine oil and soap. The phenol coefficient of the product was 3.3.

On June 19, 1944, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Cole Laboratories, Inc., a corporation, alleging shipment in interstate commerce, on or about July 21, 1943, from Long Island City, N. Y., to Washington, D. C., of a quantity of "Pine Oil Disinfectant" which was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged, in count one of the information, to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as shown by the following statements:

"Contents: One Gallon

PINE OIL
DISINFECTANT

COEF. 4-6 F. D. A.

Inert Material: 18-20%

JACOBS

THE PAPER MAN

5830 Georgia Avenue, N. W.

WASHINGTON, D. C.

Phone Ge. 2880

WHOLESALE

Paper—Bags—Boxes—Cups—Tissues—Twines
Janitor Supplies"

whereas the product had a phenol coefficient of less than 4-6 F. D. A. and contained more than 20 percent inert material.

The product was alleged, in count four of the information, to be misbranded in that the statement, "Jacobs The Paper Man, 5830 Georgia Ave., N. W.," borne on the labels affixed to the bottles containing the product, was false and misleading and tended to deceive and mislead the purchaser, since the statement purported and represented that the product was manufactured by Jacobs The Paper Man, 5820 Georgia Avenue NW., whereas the product was not manufactured by Jacobs The Paper Man.

On June 26, 1944, a plea of guilty was entered to the charges contained in counts one and four; counts two and three were dismissed; and the court imposed a fine of \$500.

1915. Adulteration and misbranding of "Chloro-San." U. S. v. 132 Cases, Each Containing 6 One-Half Gallon Bottles, More or Less, of "Chloro-San." Default decree of condemnation and destruction. (I. & F. No. 2344. I. D. No. 6388.)

Examination of samples of "Chloro-San" showed that the product contained 3.83 percent of sodium hypochlorite and 96.17 percent of inert ingredients. The product contained much less sodium hypochlorite than was stated on the labels

affixed to the bottles containing the product. It was not a sterilizer, and when diluted with water as directed it would not give a solution containing 100 parts per million of "available chlorine" and would not be an effective disinfectant for use about the home.

On December 28, 1943, the United States attorney for the Northern District of Iowa, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 132 cases, each containing 6 one-half gallon bottles, more or less, of "Chloro-San," at Cedar Rapids, Iowa, alleging that the product had been shipped in interstate commerce, on or about June 10, 1943, by the C. G. Whitlock Company, from Springfield, Ill., and charging that the product was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as shown by the following statement: "Sodium Hypochlorite 5.25%. Inert Ingredients 94.75% By Weight," whereas the product contained less than 5.25 percent of sodium hypochlorite and more than 94.75 percent of inert ingredients by weight.

The product was alleged to be misbranded in that the statement, as quoted in the preceding paragraph, borne on the labels affixed to the bottles containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser.

The product was alleged to be misbranded further in that the statements:

"Chloro-San has many uses as a disinfectant and deodorizer and may be used freely about the home. Available Chlorine solution of 100 parts per million is prepared by adding 1 ounce of Chloro-San to 4 gallons of water," and "Sterilizer"

borne on the labels affixed to the bottles containing the product, were false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the statements purported and represented that the product diluted with water as directed would give a solution containing 100 parts per million of "available chlorine" and would be an effective disinfectant for use about the home and that the product was a sterilizer, whereas the product diluted with water as directed would not give a solution containing 100 parts per million of "available chlorine" and was not an effective disinfectant for use about the home, and it was not a sterilizer.

On January 27, 1944, no claimant having appeared, decree of condemnation and destruction was entered, and the United States marshal was directed to destroy the product.

1916. Misbranding of "Perfumo." U. S. v. Acme Chemical Company, a Corporation. Plea of nolo contendere. Fine \$50. (I. & F. No. 2330. I. D. No. 7152.)

Examination of a sample of "Perfumo" showed that this product consisted of 96.8 percent water, 1.2 percent ethyl alcohol, 1.4 percent phenolic bodies, and 0.3 percent perfume. The label affixed to the bottle containing the product did not bear the required statement of ingredients, and the product would not kill bacteria or disinfect as indicated by the label.

On November 29, 1943, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Acme Chemical Company, a corporation, alleging shipment in interstate commerce, on or about June 15, 1943, from Milwaukee, Wis., to Downers Grove, Ill., of a quantity of "Perfumo" which was a misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be misbranded in that it consisted partially of an inert substance, namely, water, which would not prevent, destroy, repel or mitigate fungi (bacteria), and the name and percentage amount thereof were not stated plainly and correctly on the label, nor, in lieu thereof, were the name and percentage amount of each and every substance or ingredient of the product having fungicidal (bactericidal) properties and the total percentage of the inert substances, present therein, stated plainly and correctly on the label.

The product was alleged to be misbranded further in that the statements borne on the label, affixed to the bottle containing the product, were false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the statements purported and represented that the product would kill obnoxious odors and would kill their source, bacteria; that it was a disinfectant; possessed germicidal power; and that it was 18 times as strong as phenol in its germicidal action, whereas the product

would not kill obnoxious odors and their source, bacteria; it was not a disinfectant; did not possess germicidal power; and it was not 18 times as strong as phenol in its germicidal action.

On April 22, 1944, a plea of nolo contendere was entered, and a fine of \$50 was imposed.

1917. Misbranding of "Formozone." U. S. v. Henry V. Smith, Doing Business Under the Style and Trade Name of H. V. Smith & Company. Plea of guilty. Fine \$300. (I. & F. No. 2352. I. D. Nos. 5973 and 9330.)

Analyses of two samples of "Formozone" showed that the product contained, respectively, 1.35 and 1.79 percent of formaldehyde, 1.28 and 1.11 percent of fatty material, and 97.37 and 97.10 percent of water and perfume by difference. The labels affixed to the containers of the product did not bear the required statement of ingredients. The product was not a disinfectant and germicide and would not disinfect when used as directed on the label.

On April 24, 1944, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Henry V. Smith, doing business under the style and trade name of H. V. Smith & Company, alleging shipments in interstate commerce, on or about September 21, 1942, and October 7, 1943, from St. Paul, Minn., to Chicago, Ill., of quantities of "Formozone" which was a misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be misbranded in that it consisted partially of an inert substance (water), which would not prevent, destroy, repel, or mitigate fungi (bacteria), and the name and percentage amount thereof were not stated plainly and correctly on the label, nor, in lieu thereof, were the name and percentage amount of each and every ingredient of the product having fungicidal (bactericidal) properties, and the total percentage of the inert substances, present therein, stated plainly and correctly on the label.

The product was alleged to be misbranded further in that the statements borne on the labels, affixed to the containers of the product, were false and misleading and, by reason thereof, the product was labeled so as to deceive and mislead the purchaser, since the statements purported and represented that the product was a disinfectant and germicide and would disinfect when used as directed, whereas the product was not a disinfectant and germicide and would not disinfect when used as directed.

On April 21, 1944, a plea of guilty was entered, and on May 22, 1944, the court imposed a fine of \$300.

1918. Adulteration and misbranding of "Oil Emulsion." U. S. v. 4 Drums (Approximately 54 Gallons Each), More or Less, of "Oil Emulsion." Default decree of condemnation and destruction. (I. & F. No. 2342. I. D. No. 7688.)

Examination of samples of "Oil Emulsion" showed that the product contained mineral oil, water, and small amounts of potash soap and sulfonated oil. The product in one of the drums was adulterated; it contained 74.3 percent of water. The product was not an emulsion and therefore would not be effective against San Jose scale and leaf roller when used as directed.

On February 14, 1944, the United States attorney for the Southern District of Mississippi, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4 drums (approximately 54 gallons each), more or less, of "Oil Emulsion" at Jackson, Miss., alleging that the product had been shipped in interstate commerce, on or about February 19, 1943, by Schaeffer Bros. & Powell Manufacturing Company, from St. Louis, Mo., and charging that the product was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product in one drum was alleged to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, as shown by the following statements:

"Analysis	{ Oil, by volume.....	80%
	{ Inert Ingredients—Water, by weight.....	22%,"

whereas the product contained less than 80 percent oil by volume and more than 22 percent water by weight.

The product in the one drum was alleged to be misbranded in that the statement, as quoted in the preceding paragraph, borne on the label affixed to the drum containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser.

The product contained in all four of the drums was alleged to be misbranded in that the statements:

"Oil Emulsion . . . Use 2.4 Gallons of Scalex to 97.6 Gallons of Water for San Jose Scale. Use 7.5 gallons Scalex to 92.5 gallons of water for Leaf Roller . . . For Peaches. Use with 4-4-50 Bordeaux solution to control . . . San Jose Scale,"

borne on the labels affixed to the drums containing the product, were false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the statements purported and represented that the product was an oil emulsion, and that the product, when used as directed, would control San Jose scale and leaf roller, whereas the product was not an oil emulsion, and, when used as directed, it would not control San Jose scale and leaf roller.

On May 2, 1944, no claimant having appeared, decree of condemnation and destruction was entered, and the United States marshal was directed to destroy the product.

1919. Misbranding of "Klens." U. S. v. Klens, Inc., a Corporation. Plea of Guilty. Fine \$25. (I. & F. No. 2332. I. D. No. 7105.)

Examination of a sample of "Klens" showed that the product consisted of 90.9 percent water, and trisodium phosphate, coloring matter, and probably a very small amount of a phenolic compound. The labels affixed to the bottles containing the product did not bear the required statement of ingredients. The product was not an antiseptic or germicide and would not kill all germs or sterilize when used as directed.

On December 15, 1943, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Klens, Inc., a corporation, alleging shipment in interstate commerce, on or about January 16, February 10, and March 9, 1943, from Miami, Fla., to Chicago, Ill., of quantities of "Klens" which was a misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be misbranded in that it consisted partially of an inert substance (water), which would not prevent, destroy, repel, or mitigate fungi (bacteria), and the name and percentage amount thereof were not stated plainly and correctly on the label, nor, in lieu thereof, were the name and percentage amount of each and every substance or ingredient of the product having fungicidal (bactericidal) properties and the total percentage of the inert substances, present therein, stated plainly and correctly on the label.

The product was alleged to be misbranded further in that the statements, "Klens . . . Antiseptic Kills Germs . . . Sterilizes . . . Antiseptic Germicide," borne on the labels affixed to the bottles containing the product, were false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the statements purported and represented that the product when used as directed was an antiseptic and germicide and would kill germs and sterilize, whereas the product when used as directed was not an antiseptic or germicide; it would not kill all germs; and it would not sterilize.

On January 22, 1944, the defendant entered a plea of guilty, and the court imposed a fine of \$25.

1920. Adulteration and misbranding of "Hi-Tox 20" and "Pyrethrum Extract 20." U. S. v. Associated Chemists, Inc. Plea of guilty. Fine \$200 and costs. (I. & F. No. 2337. I. D. Nos. 5246 and 5853.)

Examination of "Hi-Tox 20" showed that this product consisted of mineral oil of the nature of deodorized kerosene, a small amount of a chlorinated compound, and coloring matter. It was not of a strength equal to a 20 to 1 commercial concentrate fly spray.

Examination of "Pyrethrum Extract 20" showed that this product consisted chiefly of mineral oil together with a small amount of chlorinated compounds and green coloring matter. The product contained no pyrethrum extract.

On December 31, 1943, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Associated Chemists, Inc., alleging shipment in interstate commerce, on or about January 11, 1943 and June 10, 1942, from Chicago, Ill., to Cincinnati, Ohio, and Middleton, Wis., respectively, of quantities of "Hi-Tox 20" and "Pyrethrum Extract 20," respectively, and charging that both products were adulterated and misbranded insecticides within the meaning of the Insecticide Act of 1910.

The "Hi-Tox 20," shipped on or about January 11, 1943, was alleged to be adulterated in that its strength or purity fell below the professed standard or

quantity under which it was sold, as shown by the statement, "Hi-Tox 20," which purported and represented that the standard or quality of the product was such that the product possessed an effectiveness as an insecticide equivalent to a 20 to 1 commercial concentrate fly spray, as the term "Hi-Tox 20" was generally understood, in all insecticide trade circles, to imply a strength equal to a 20 to 1 commercial concentrate fly spray, whereas the product was not as effective as a 20 to 1 commercial concentrate fly spray.

The product was alleged to be misbranded in that the statement, as quoted in the preceding paragraph, borne on the label affixed to the drum containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser.

The "Pyrethrum Extract 20," shipped on or about June 10, 1942, was alleged to be adulterated in that its strength or purity fell below the professed standard of quality under which it was sold, as shown by the statement "Pyrethrum Extract 20," which purported and represented that the standard of quality of the product was such that the product consisted of "Pyrethrum Extract 20," whereas the product was not "Pyrethrum Extract 20" and another substance or substances had been substituted for "Pyrethrum Extract 20" since the product contained no pyrethrum extract.

The product was alleged to be misbranded in that the statement, as quoted in the preceding paragraph, borne on the labels affixed to the cans containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser.

On June 9, 1944, a plea of guilty was entered, and the court imposed a fine of \$200 and costs.

1921. Misbranding of "Des-Tex Foam" and "Des-Tex Dry-Cleaner." U. S. v. Research Des-Tex, Inc., a Corporation. Plea of guilty. Fine \$25. (I. & F. No. 2333. I. D. Nos. 7106, 7107, and 7269.)

Examination of "Des-Tex Foam" showed that this product contained 91.2 percent water, fluorine equivalent to 0.1 percent sodium silicofluoride, 0.23 percent formaldehyde, and a wetting agent or cleaner. The labels affixed to the bottles containing the product did not bear the required statement of ingredients, and the product would not protect against moths when used according to directions on the label.

Examination of samples of "Des-Tex Dry-Cleaner" showed that this product consisted of mineral oil, terpenes (probably from pine oil), and a small amount of nitro-derivatives similar to nitrobenzene. The product when used as directed would not kill nor protect from roaches and bugs, it would not exterminate vermin, nor would it destroy odors.

On December 15, 1943, the United States attorney for the Southern District of Florida, acting upon a report from the Secretary of Agriculture, filed in the district court an information against Research Des-Tex, Inc., a corporation, alleging shipment in interstate commerce, on or about January 16, February 10, and March 9, 1943, from Miami, Fla., to Chicago, Ill., of quantities of "Des-Tex Foam" and "Des-Tex Dry-Cleaner," and on or about March 4, 1943, from Miami, Fla., to Atlanta, Ga., of a quantity of "Des-Tex Dry-Cleaner." The "Des-Tex Foam" was a misbranded insecticide and fungicide and the "Des-Tex Dry-Cleaner" was a misbranded insecticide within the meaning of the Insecticide Act of 1910.

The "Des-Tex Foam" was alleged to be misbranded in that the product consisted partially of inert substances (substances other than formaldehyde and sodium silicofluoride), which would not prevent, destroy, repel, or mitigate insects or fungi (bacteria), and the names and percentage amounts thereof were not stated plainly and correctly on the label, nor, in lieu thereof, were the name and percentage amount of each and every substance or ingredient of the product having insecticidal or fungicidal (bactericidal) properties, and the total percentage of the inert substances, present therein, stated plainly and correctly on the label.

The product was alleged to be misbranded further in that the statements:

"Des-Tex Foam

It Moth Protects Carpets Fabrics * * *

Directions for Using Des-Tex

For All Fabrics Having Fast Colors
Cleans with Moth-protecting Action
Instructions For Cleaning Rugs And Upholstery

Thoroughly brush or vacuum article, then dip a soft plain bristle brush into a pan or pail containing one part of Des-Tex Foam diluted with ten parts of water—Scrub a small section with a circular motion until foam disappears, laying the nap with the last stroke of the brush. Repeat until entire article has been covered. Finish off with a dry cloth. * * *

Beside a Moth protecting Agent, * * *

Upholstery: Apply with brush and cloth — Dilute Des-Tex Foam to eight parts water — Brush fabric before and after application,”

borne on the labels affixed to the bottles containing the product, were false and misleading and tended to deceive and mislead the purchaser since the product when used as directed would not protect nor proof woolen articles, fabrics, and upholstery against moths.

The “Des-Tex Dry-Cleaner” was alleged to be misbranded in that the statements, “Des-Tex Dry-Cleaner * * * It Protects * * * Kills * * * Roaches Bugs * * * To Destroy Odors and Exterminate Vermin. Spray Des-Tex well into crevices, floor baseboards, etc. Use occasionally in sinks and water closets. Mattresses and pillows may be sprayed direct,” borne on the labels affixed to the bottles containing the product, were false and misleading and tended to deceive and mislead the purchaser, since the product when used as directed would not kill nor protect from roaches and bugs and would not exterminate vermin, and it would not destroy odors.

On January 22, 1944, the defendant entered a plea of guilty, and the court imposed a fine of \$25.

1922. Adulteration and misbranding of “K B Pine Oil Disinfectant.” U. S. v. Joseph Katz, Trading as The K. B. Chemical Co. Plea of guilty. Fine \$50. (I. & F. No. 2273. I. D. Nos. 2683 and 4434.)

Examination of samples of “K B Pine Oil Disinfectant” showed that the product contained 17.2 and 16.0 percent water, and 70.0 and 71.0 percent pine oil, respectively. The product was not a disinfectant under all conditions, nor was it an effective disinfectant for use in hospitals.

On May 10, 1943, the United States attorney for the District of Rhode Island, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Joseph Katz, trading as The K. B. Chemical Co., alleging shipments in interstate commerce, on or about November 13, 1941, and January 9, 1942, from Providence, R. I., to Boston, Mass., of quantities of “K B Pine Oil Disinfectant” which was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product in both shipments was alleged, in counts one and five in the information, to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, as shown by the statement, “80% Pine Oil * * * Inert Ingredients (water) not over 10%,” which purported and represented that the product consisted of not less than 80 percent of pine oil and not more than 10 percent of water, whereas the product contained less than 80 percent of pine oil and more than 10 percent of water.

The product in both shipments was alleged, in counts two and six in the information, to be misbranded in that the statement, “Inert Ingredients (water) not over 10%,” borne on the labels affixed to the bottles containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the product contained more than 10 percent water.

The product in both shipments was alleged in counts three and seven in the information, to be misbranded further in that the statement, “80% Pine Oil,” borne on the labels affixed to the bottles containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the product contained less than 80 percent pine oil.

The product in both shipments was alleged, in counts four and eight in the information, to be misbranded further in that the statements, “* * * Disinfectant * * * Used in * * * Hospitals * * * The Modern Disinfectant * * * Directions As An Antiseptic,” borne on the labels affixed to the bottles containing the product, were false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the statements purported and represented that the product was an effective disinfectant, and was an effective disinfectant for use in hospitals, whereas the

product was not an effective disinfectant under all conditions, and it was not an effective disinfectant for use in hospitals.

On February 28, 1944, the defendant entered a plea of guilty, and the court imposed a fine of \$15 on count one and \$5 on each of the other seven counts.

1923. Misbranding of "Frostee Paradichlorobenzene Liquid Spray." U. S. v. Curran Chemical & Tar Products Company, a Corporation. Plea of guilty. Fine \$1 and costs. (I. & F. No. 2331. I. D. No. 5995.)

Examination of samples of "Frostee Paradichlorobenzene Liquid Spray" showed that the bottles containing the product had an average net content of 0.35 pint instead of $\frac{1}{2}$ pint as claimed on the labels affixed to the bottles containing the product.

On December 31, 1943, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Curran Chemical & Tar Products Company, a corporation, alleging shipment in interstate commerce, on or about November 9, 1942, from Chicago, Ill., to Nashville, Tenn., of a quantity of "Frostee Paradichlorobenzene Liquid Spray" which was a misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged to be misbranded in that the statement, " $\frac{1}{2}$ pint," borne on the labels affixed to the bottles containing the product, was false and misleading, and by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the statement purported and represented that the bottles containing the product contained $\frac{1}{2}$ pint, whereas the net content of the bottles was less than $\frac{1}{2}$ pint.

On February 24, 1944, a plea of guilty was entered, and the court imposed a fine of \$1, and costs amounting to \$19.96.

1924. Adulteration and misbranding of "Twin Light Redox." U. S. v. Seacoast Laboratories, Inc., a Corporation. Plea of guilty. Fine \$200. (I. & F. No. 2223. I. D. No. 1355.)

Examination of samples of "Twin Light Redox" showed that the product contained an average of 15.63 percent cuprous oxide and 84.37 percent inert ingredients. The cans containing the product had a net content of less than 1 quart of the product instead of 1 quart as claimed on the label.

On February 24, 1944, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Seacoast Laboratories, Inc., a corporation, alleging shipment in interstate commerce, on or about March 25, 1941, from New York, N. Y., to Baltimore, Md., of a quantity of "Twin Light Redox" which was an adulterated and misbranded fungicide within the meaning of the Insecticide Act of 1910.

The product was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold, as shown by the following statement:

"Active Ingredient—Cuprous oxide, not less than 25%
Inert Ingredients not less than 75%,"

which purported and represented that the standard and quality of the product were such that it contained an active ingredient, cuprous oxide, in the proportion of not less than 25 percent and that it contained inert ingredients in the proportion of not less than 75 percent, whereas the product contained cuprous oxide in a proportion much less than 25 percent, and it contained inert ingredients in a proportion much greater than 75 percent.

The product was alleged to be misbranded in that the statement, as quoted in the preceding paragraph, borne on the labels affixed to the cans containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser.

The product was alleged to be misbranded further in that the statement, "Net content — 1 quart," borne on the labels affixed to the cans containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser, since the statement purported and represented that the cans contained 1 quart of the product, whereas the cans contained less than 1 quart of the product.

On February 29, 1944, the defendant entered a plea of guilty, and on March 3, 1944, the court imposed a fine of \$100 on each of two counts.

1925. Adulteration and misbranding of "Tat Ant Bait." U. S. v. Soilicide Laboratories, a Corporation. Plea of guilty. Fine \$600. (I. & F. No. 2343. I. D. Nos. 6163 and 6916.)

Examination of samples of "Tat Ant Bait" showed that the product contained 1.22 and 1.02 percent of thallium sulphate, and more than 98.70 percent inert ingredients, respectively; the label claimed 1.30% of thallium sulphate, and 98.70% inert ingredients. The tubes contained an average of 0.91 ounce and 0.86 ounce of the product, respectively; the label claimed net weight 1 ounce.

On March 13, 1944, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Soilicide Laboratories, a corporation, alleging shipment in interstate commerce, on or about January 6 and June 22, 1943, from Montclair, N. J., to New York, N. Y., and from Montclair, N. J., to Denver, Colo., respectively, of quantities of "Tat Ant Bait" which was an adulterated and misbranded insecticide within the meaning of the Insecticide Act of 1910.

The product was alleged, in counts one and four in the information, to be adulterated in that its strength or purity fell below the professed standard or quality under which it was sold, since the statement borne on the labels, affixed to the tubes containing the product, purported and represented that its standard or quality was such that the product contained not less than 1.30 percent of thallium sulphate and inert ingredients not in excess of 98.70 percent, whereas the product contained less than 1.30 percent of thallium sulphate and more than 98.70 percent inert ingredients.

The product was alleged, in counts two and five in the information, to be misbranded in that the statement of ingredients, borne on the labels affixed to the tubes containing the product, was false and misleading and, by reason thereof, the product was labeled and branded so as to deceive and mislead the purchaser.

The product was alleged, in counts three and six in the information, to be misbranded further in that the statement, "Net Wt. 1 Oz.," borne on the labels affixed to the tubes containing the product, and the statement, "Net Weight 1 Ounce," borne on the labels affixed to the small cartons in which the individual tubes of the product were packed, were false and misleading and, by reason thereof the product was labeled and branded so as to deceive and mislead the purchaser, since the statement purported and represented that the tubes contained 1 ounce of the product, whereas the tubes contained less than 1 ounce of the product.

On March 21, 1944, a plea of guilty was entered, and on March 31, 1944, the court imposed a fine of \$100 on each of the six counts.

INDEX TO NOTICES OF JUDGMENT 1911-1925

Chloro-San :	N. J. No.	K B Pine Oil Disinfectant :	N. J. No.
C. G. Whitlock Company-----	1915	Joseph Katz -----	1922
Del-Tox :		The K. B. Chemical Co.-----	1922
Del-Tox Chemical Company-----	1912	Klens :	
Des-Tex Dry-Cleaner :		Klens, Inc.-----	1919
Research Des-Tex, Inc.-----	1921	Oil Emulsion :	
Des-Tex Foam :		Schaeffer Bros. & Powell Manu-	
Research Des-Tex, Inc.-----	1921	facturing Company -----	1918
Formozone :		Perfumo :	
H. V. Smith & Company-----	1917	Acme Chemical Company-----	1916
Froste Paradichlorobenzene Liquid		Pine Oil Disinfectant :	
Spray :		Cole Laboratories, Inc.-----	1914
Curran Chemical & Tar Products		Prox Cleaning Compound :	
Company -----	1923	Proxite Products, Inc.-----	1913
Granger '77' Chloro-D Powder :		Pyrethrum Extract 20 :	
Granger '77' Products Company--	1911	Associated Chemists, Inc.-----	1920
Hi-Tox 20 :		Tat Ant Bait :	
Associated Chemists, Inc.-----	1920	Soilicide Laboratories -----	1925
		Twin Light Redox :	
		Seacoast Laboratories, Inc.-----	1924

